

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

DECLARATION OF DIMITRY JOFFE, ESQ.

I, Dmitry Joffe, Esq., a member of the New York State Bar admitted *pro hac vice* to the Bar of this Court, declare as follows:

1. I am counsel to Plaintiffs in the above-captioned case, and I submit this declaration in opposition to Defendants' motion for partial summary judgement and *Daubert* motion and in support of Plaintiffs' cross-motion for partial summary judgment on the issue of counterfeiting.

2. A true and correct copy of the transcript of the deposition of Defendants' expert witness Shelley Raina is attached as Exhibit A hereto.

3. A true and correct copy of a printout of Defendant HPE's guidance for verification of authentic HPE hard drives and solid state drives is attached as Exhibit B hereto. I

personally reviewed the attached document on HPE's official website at https://support.hpe.com/hpsc/public/docDisplay?docId=emr_na-a00074784en_us, printed it out immediately prior to Mr. Raina's February 5, 2020 deposition, and introduced it at his deposition as PX-15.

4. A true and correct copy of a printout of Defendant HPE's guide to validating equipment parts is attached as Exhibit C hereto. I personally reviewed the attached document on HPE's official website at <https://www.hpe.com/us/en/validate.html> and printed it out immediately prior to Mr. Raina's February 5, 2020 deposition and introduced it at his deposition as PX14. The printout is missing the images but its textual content is a true and correct copy of the document on the website.

5. A true and correct copy of Defendant's HPFS India letter to the PSB dated April 22, 2013 (translation, without exhibits) is attached as Exhibit D hereto.

6. A true and correct copy of a letter dated September 27, 2019 from Paul Saso to Dimitry Joffe is attached as Exhibit E hereto.

7. A true and correct copy of a letter dated October 1, 2019 from Paul Saso to Dimitry Joffe is attached as Exhibit F hereto.

8. A true and correct copy of an email chain dated March-April 2011 between Defendants' and Inspira's representatives concerning the Commonwealth Games equipment is attached as Exhibit G hereto.

9. A true and correct copy of an email chain dated March-July 2011 between Defendants' and Inspira's representatives concerning the original importation documents for the Commonwealth Games equipment is attached as Exhibit H hereto.

10. A true and correct copy of an email chain dated May 2013 among Defendants' representatives concerning TT Global Dubai assets is attached as Exhibit I hereto.

11. A true and correct copy of Defendants' privilege log is attached as Exhibit J hereto.

12. A true and correct copy of Defendants draft letter to the PSB dated March 25, 2013 is attached as Exhibit K hereto.

13. A true and correct copy of the bail notices (translations) issued by the PSB to the Individual Plaintiffs Jade Cheng, Cathy Yu and Jason Yuyi are attached as Exhibit L hereto.

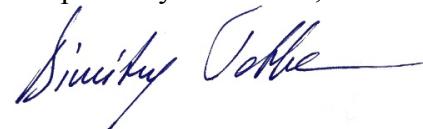
14. A true and correct copy of the PSB written opinion (translation) dated March 14, 2013 recommending prosecution of the Individual Plaintiffs under Article 214 of the PRC Criminal Law for selling commodities bearing counterfeit registered trademarks is attached as Exhibit M hereto.

15. A true and correct copy of an email chain dated March 2013 between representatives of Defendants and TT Global concerning transceiver inspection is attached as Exhibit N hereto.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: April 16, 2020

Respectfully Submitted,



Dimitry Joffe
Joffe Law P.C.
765 Amsterdam Avenue, 2C
New York, NY 10025
Tel: (917) 929-1964
Email: dimitry@joffe.law
Counsel to Plaintiffs

CERTIFICATE OF SERVICE

I, Dimitry Joffe, hereby certify that on this 16th day of April 2020, I caused a copy of the Declaration of Dimitry Joffe, with exhibits, and Affidavit of Alexander Styller, with exhibits, submitted in opposition to Defendants' motion for partial summary judgment and is support of Plaintiffs' cross-motion, to be served by ECF upon Defendants' counsel of record.



Dimitry Joffe
JOFFE LAW P.C.
Counsel to Plaintiffs